



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MAY 02 2013

William J. McGinley, Esq.  
Patton Boggs LLP  
2250 M Street NW  
Washington, DC 20037

RE: MUR 6709

Dear Mr. McGinley:

On April 18, 2013, the Federal Election Commission accepted the signed conciliation agreement submitted on your client's behalf in settlement of a violation of 2 U.S.C. § 434(b), a provision of the Federal Election Campaign Act of 1971, as amended (the "Act"). Accordingly, the file has been closed in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66,132 (Dec. 14, 2009). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

*Kasey S. Morgenheim*

Kasey S. Morgenheim  
Attorney

Enclosure  
Conciliation Agreement

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**BEFORE THE FEDERAL ELECTION COMMISSION**

In the matter of	)	
	)	MUR 6709
Bachmann for Congress	)	
and Daniel Puhl in his official	)	
capacity as treasurer	)	
	)	

**CONCILIATION AGREEMENT**

This matter was initiated pursuant to information ascertained by the Federal Election Commission ("Commission") in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Bachmann for Congress and Daniel Puhl in his official capacity as treasurer ("Respondent" or the "Committee") violated 2 U.S.C. § 434(b).

NOW, THEREFORE, the Commission and the Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

- I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).
- II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. Respondent enters voluntarily into this agreement with the Commission.
- IV. The pertinent facts in this matter are as follows:
  - 1. Bachmann for Congress is the principal campaign committee of U.S. Representative Michele Bachmann and is registered with the Commission. Daniel Puhl is the

1 Committee's treasurer of record. Daniel Puhl became treasurer after the original reports  
2 discussed in this conciliation agreement were filed with the Commission.

3 2. The Federal Election Campaign Act of 1971, as amended, (the "Act") requires  
4 committee treasurers to file reports of receipts and disbursements in accordance with the  
5 provisions of 2 U.S.C. § 434. See 2 U.S.C. § 434(a)(1); 11 C.F.R. § 104.1(a). These reports  
6 must include, *inter alia*, the total amount of receipts and disbursements. See 2 U.S.C. § 434(b);  
7 11 C.F.R. § 104.3.

8 3. The Act also requires committees to disclose itemized breakdowns of receipts  
9 and disbursements, and disclose the name and address of each person who has made any  
10 contribution or received any disbursement in an aggregate amount or value in excess of \$200  
11 within the calendar year, together with the date and amount of any such contribution or  
12 disbursement. See 2 U.S.C. § 434(b)(2)-(6); 11 C.F.R. § 104.3(a)(3)-(4), (b)(2)-(4).

13 4. As detailed in the chart below, the Committee amended five reports —  
14 originally filed with the Commission from 2009 through 2010 — to disclose additional receipts  
15 totaling \$208,502.36 and additional disbursements totaling \$206,499.10.

16 **BACHMANN FOR CONGRESS AMENDED REPORTS**

Report	Date of Amendment	Increased Receipts	Increased Disbursements	Total
2009 July Quarterly	9/17/2010 & 5/18/2011	\$81,193.62	\$124.35	\$81,317.97
2010 April Quarterly	9/17/2010 & 5/18/2011	\$119,334.23	\$6,274.09	\$125,608.32
2010 July Quarterly	9/17/2010 & 5/18/2011	\$6,364.52	\$4,800.00	\$11,164.52
2010 October Quarterly	5/18/2011	\$2,370.36	\$57,338.16	\$59,708.52
2010 12 Day Pre-General	5/18/2011	n/a	\$137,962.50	\$137,962.50
	<b>TOTAL</b>	<b>\$208,502.36</b>	<b>\$206,499.10</b>	<b>\$415,761.83</b>

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1                   5. Respondent contends that these amended reports were the result of the  
2   Committee's proactive internal review that it self-initiated to examine the increase in receipts  
3   and disbursements during the 2010 election cycle and to ensure compliance with the reporting  
4   requirements under the Act and Commission regulations. This internal review was conducted  
5   prior to the Reports Analysis Division's referral in this matter and was undertaken at the  
6   Committee's own expense.

7                   V. Respondent violated 2 U.S.C. § 434(b) by failing to disclose accurately an aggregate  
8   of \$208,502.36 in receipts and \$206,499.10 in disbursements on its 2009 July Quarterly; 2010  
9   April Quarterly; 2010 July Quarterly; 2010 October Quarterly; and 2010 12 Day Pre-General  
10   Reports.

11                  VI.   1. Respondent will pay a civil penalty to the Commission in the amount of Eight  
12   Thousand Dollars (\$8,000), pursuant to 2 U.S.C. § 437g(a)(5)(B).

13                       2. Respondent will cease and desist in committing violations of 2 U.S.C.  
14   § 434(b).

15                       3. Respondents, in an effort to avoid similar errors in the future, agree to: (a) send  
16   a representative to a FEC conference within twelve (12) months of the effective date of this  
17   agreement; (b) develop a compliance operations manual which includes internal controls  
18   consistent with the Commission's Best Practices for Committee Management (2009 update)  
19   within ninety (90) days of the effective date of this agreement; and (c) certify annually for  
20   calendar years 2013 and 2014 that Respondents had an external compliance firm review reports  
21   and conduct a reconciliation of the Committee's financial activities by February 28, 2014 for  
22   calendar year 2013, and February 28, 2015 for calendar year 2014.

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1 VII. The Commission, on request of anyone filing a complaint under 2 U.S.C.  
2 § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance  
3 with this agreement. If the Commission believes that this agreement or any requirement thereof  
4 has been violated, it may institute a civil action for relief in the United States District Court for  
5 the District of Columbia.

6 VIII. This agreement shall become effective as of the date that all parties hereto have  
7 executed the same and the Commission has approved the entire agreement.

8 IX. Respondent shall have no more than 30 days from the date this agreement becomes  
9 effective to comply with and implement the requirements contained in this agreement and to so  
10 notify the Commission, except as to those provisions above that expressly include specific dates  
11 for completion, notification, and/or certification.

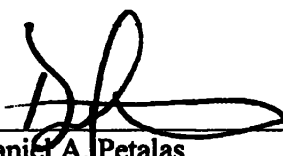
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X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained within this written agreement shall be enforceable.

FOR THE COMMISSION:


Anthony Herman  
General Counsel

BY:

  
Daniel A. Petalas  
Associate General Counsel  
for Enforcement

5/2/13  
Date

FOR THE RESPONDENT:

  
Daniel Puhl  
Treasurer

3-15-2013  
Date

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